

REMARKS

I. Status of the Application

Claims 12-31 are pending in this application. In the May 16, 2005 office action, the Examiner:

- A. Allowed claims 12-18;
- B. Rejected claim 19 and 30 under 35 U.S.C. § 112, as allegedly being indefinite for failing to particularly point out and distinctly claim the inventive subject matter;
- C. Rejected claims 23, 24, 26, 28, 29 and 31 under 35 U.S.C. § 102(b) as allegedly being anticipated by applicants' allegedly admitted prior art (hereinafter "Admitted Art"); and
- D. Objected to claims 25 and 27 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

In this response, Applicants have amended claims 23, 25, 30 and 31 to further clarify the inventive subject matter. The allowance of claims 12-18 is gratefully acknowledged. Applicants have canceled claims 20-22 and 24, without prejudice, and have added new claims 32-34. Applicants respectfully traverse the rejections of claims 19, 23, 26 and 28-31 and request reconsideration of the application in view of the foregoing amendments and the following remarks.

II. The Indefiniteness Rejections Should be Withdrawn

In the May 16, 2005 office action, the Examiner rejected claims 19 and 30 as allegedly being indefinite. In particular, the Examiner stated that in claim 19, the phrase "wherein a

lateral dimension of the area is at least as great as a lateral dimension” was not clear as to what was being claimed. Similarly, with respect to claim 30, the Examiner stated that the phrase “wherein a lateral dimension of the plurality of regions is at least as great as a lateral dimension” was not clear as to what was being claimed. (Office Action at p.2).

Applicants contend that the claim language is sufficiently clear with respect to claim 19, and offers the following explanation. The full phrase is “wherein a lateral dimension of the area is at least as great as a lateral dimension of a most highly doped portion of the plurality of drain portions”. This phrase means, quite simply, that the “area” is *as wide as* or *wider* than the most highly doped drain portion. A “lateral dimension” is understood to mean some aspect of the width, *e.g.* left to right.

For example, as shown in the exemplary embodiments of Figs. 1 and 2, the “area” that has a doping of the second conductivity type (*e.g.*, the area covered by collective sections 102 or 106) is wider than the drain portion 50 that is most highly doped.

For similar reasons, claim 30 is also sufficiently definite. In addition, claim 30 has been amended to more particularly claim that at least one of the plurality of regions (*e.g.* regions 106 of Fig. 2) is wider than the drain portion 50 that is most highly doped.

It is respectfully submitted that the claim language of claims 19 and 30 is sufficiently definite to enable one of ordinary skill in the art to define the metes and bounds of the claimed subject matter. It is therefore respectfully submitted that the indefiniteness rejection of claims 19 and 30 be withdrawn.

III. The Anticipation Rejection of Claim 23

Claim 23 stands rejected as allegedly being anticipated by the Admitted Art. Claim 23 has been amended to recite that the plurality of regions cooperates with the substrate to form alternating regions having the first conductivity type and having the second conductivity type below the drain area.

As shown in Fig. 3 (the Admitted Art), there are no alternating regions of first and second conductivity type disposed below the drain area 50, 52 and 54. As shown in Figs. 1 and 2 (embodiments of the claimed invention), alternating p and n regions are formed under the drain area 50, 52 and 54. Because the Admitted Art does not teach or suggest “alternating regions having the first conductivity type and having the second conductivity type . . . formed below the drain area” as called for in claim 23 as amended, the Admitted Art does not anticipate the claimed invention of claim 23.

For the foregoing reasons, it is respectfully that the anticipation rejection of claim 23 should be withdrawn.

IV. Claims 26, 28, 29 and 31

Claims 26, 28, 29 and 31 also stand rejected as allegedly being anticipated by the Admitted Art. Claims 26, 28, 29 and 31 all depend from and incorporate all of the limitations of claim 23. As a consequence, for at least the same reasons as those set forth above in connection with claim 23, it is respectfully submitted that the anticipation rejection of claims 26, 28, 29 and 31 should be withdrawn.

V. New Claims 32-34 are in a Condition for Allowance

The Examiner deemed claim 27 allowable, as originally filed, if rewritten in independent format. (May 16, 2005 office action at p.4). New claim 32 represents claim 27 rewritten in independent format. Accordingly, it is respectfully submitted that claim 32 is in a condition for allowance.

New claims 33 and 34 both depend from claim 32. As a consequence, claims 33 and 34 are also in a condition for allowance.

VI. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicants have made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

Respectfully submitted,



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